

MEESE, CITING POSSIBLE CRIME, ASKS A SPECIAL PROSECUTOR; CARLUCCI IS NAMED FOR N.S.C.

By BERNARD WEINRAUB

Special to The New York Times

WASHINGTON, Dec. 2 — Saying that illegal acts may have been committed in the diversion of millions of dollars to Nicaraguan rebels from United States arms sales to Iran, the Reagan Administration announced today that it was requesting an independent prosecutor to look into the case.

President Reagan, in announcing the special counsel plan in a four-minute televised speech, also said that he was appointing a former deputy director of the Central Intelligence Agency, Frank C. Carlucci, as his new national security adviser.

Mr. Carlucci, whose appointment received bipartisan support in Congress, will succeed Vice Adm. John M. Poindexter, who resigned last week in the furor over the clandestine diversion of aid.

To Look Into Criminality

Moments after Mr. Reagan spoke, Attorney General Edwin Meese 3d said, "We think that we have a statutory basis to believe that a Federal law may have been violated."

"There may have been people who are in a position in government who may have violated it," Mr. Meese said.

He added that the independent counsel would seek to determine "if there is any criminality whatsoever involved" in the case involving the Iran arms sale and the diversion of proceeds to Nicaraguan rebels, known as contras.

Mr. Reagan, who is facing bipartisan Congressional pressure, said in his midday speech that the Justice Department had "turned up reasonable grounds" to seek the appointment of an independent counsel to examine the Iran-Nicaragua affair.

Court to Appoint Counsel

The President said that he had "immediately urged" Mr. Meese "to apply in court here in Washington for the appointment of an independent counsel."

"If illegal acts were undertaken, those who did so will be brought to justice," Mr. Reagan said, speaking somberly from the Oval Office.

Mr. Meese said in a news conference at the Justice Department that "we are proceeding to make that application."

He said the application "will be broad enough to give an independent counsel the opportunity to look into all aspects of possible violations of Federal statutes and anything dealing with either the Iran transfer of arms or the transfer of funds to the contras."

The request for an independent counsel is likely to be acted on promptly by a special panel of three Federal appellate judges whose headquarters are in the District of Columbia. The three are Circuit Court Judges Walter R. Mansfield, Lewis R. Morgan and George E. MacKinnon. In the past, judges selecting an independent counsel have generally chosen a lawyer or a prosecutor.

Mr. Reagan made his unexpected speech amid concern within the Administration about the potential impact of the developments on the last two years of his Presidency.

Calls for Resignations

The speech itself, which concluded with the naming of Mr. Carlucci, was an attempt to quell the uproar over the diversion of funds to Nicaraguan rebels. The affair has led to calls from Democrats and from some Republicans for the resignations of Donald T. Regan, the White House chief of staff, and William J. Casey, Director of Central Intelligence.

Confusion Over C.I.A. Role

Meanwhile, confusion continued to surround the question of who in the Government had approved the Central Intelligence Agency's involvement in a November 1985 arms shipment to Iran by Israel.

Senator Daniel P. Moynihan, Democrat of New York, said Sunday that the shipment had been approved by John N. McMahon, a deputy director of the Central Intelligence at the time.

Mr. Casey first told the Senate Select Committee on Intelligence that he had been traveling when the authorization was given. But he later said that he "misspoke" and that neither he nor Mr. McMahon had approved the agency's involvement.

Congressional investigators view the matter as significant because the weapon delivery by Israel occurred two months before President Reagan formally authorized a C.I.A. role in the Iran arms dealings.

Mr. McMahon, who resigned from the agency this year, appeared before the Senate panel in closed session on Monday. Other witnesses from the C.I.A. are expected to be called to clarify the November flight by an air freight company with direct ties to the agency.

Reagan Favors Single Inquiry

Mr. Reagan called on the House of Representatives and the Senate to consolidate their inquiries and form "some mechanism," presumably a single committee, to examine the affair.

The President made no mention of the suggestion by the Senate Republican leader, Bob Dole of Kansas, for a special session of Congress to establish an investigating panel.

Publicly, White House officials brushed aside a New York Times/CBS News poll showing that Mr. Reagan's overall approval rating had dropped to 46 percent from 67 percent a month ago. This is the sharpest one month drop ever recorded by a public opinion poll in measuring approval of a Presidential job performance.

Dan Howard, a White House spokesman, observed: "Polls go up, polls go down, polls go back up again." Privately, however, White House officials said that Mr. Reagan's mood was grim, and

that, despite the President's public efforts to deal with domestic issues, such as the fiscal 1988 budget, the scandal was consuming most of Mr. Reagan's and his senior staff's time.

Decline in Popularity

One ranking White House official said tonight, referring to Mr. Reagan's apparent decline in popularity, "It's not good, but we expected it. There's no doubt that the majority of the public thinks Reagan made a mistake in dealing with Iran, and it wasn't helped any by the revelations about the Contras."

The official said, "I suspect we're in a trough, or close to a trough." The official added, "But there's going to be a full agenda and I just don't think people's affection for the President is dissipated on a permanent scale."

Mr. Reagan's speech was the fourth time in three weeks that he has appeared publicly to seek to quell the storm over the diversion of funds, which the President and Mr. Meese revealed last Tuesday. Lieut. Col. Oliver L. North, a National Security Council aide, was dismissed by the President for his apparent role in funneling funds to the "contra" rebels, and Admiral Poindexter resigned. MORE

In naming Mr. Carlucci, a 56-year-

Continued

old former deputy director of the C.I.A. in the Carter Administration as well as No. 2 at the Defense Department during the first two years of the Reagan Presidency, Mr. Reagan plainly sought a strong-willed figure with powerful bipartisan support. Some conservatives, however, including Patrick J. Buchanan, the White House director of communications, opposed Mr. Carlucci's selection, a White House official said.

Sen. Orrin Hatch, a conservative Republican of Utah, who voted against Mr. Carlucci's confirmation in the Defense job in 1981, said, however, that because of Mr. Carlucci's knowledge of Federal agencies, "I think he is an excellent choice for national security adviser."

Sen. Daniel P. Moynihan, Democrat of New York, a vocal critic of the Administration in recent days, said, "Frank Carlucci is a friend of 20 years. His is a superb choice."

Mr. Carlucci -- once a protege of Defense Secretary Caspar W. Weinberger in the Nixon Administration -- is the fifth man to hold the National Security job during Mr. Reagan's six years in office. As N.S.C. director, he does not need Senate confirmation.

Mr. Carlucci left Government serv-

ice in 1982 to become president and chief operating officer of Sears World Trade Inc., the export-import subsidiary that Sears, Roebuck, and Co. recently said would be scaled back into the company's merchandising group.

Mr. Reagan, who met with Republican congressional leaders just before making his speech at noon, told the nation:

"I've done everything in my power to make all the facts concerning this matter known to the American people. I can appreciate why some of these things are difficult to comprehend. And you're entitled to have your questions answered."

Mr. Reagan pledged "to get to the bottom of this matter." The President added that, as he stated yesterday, he would "welcome the appointment of an independent counsel to look into allegations of illegality in the sale of arms to Iran and the use of funds from these sales to assist the forces opposing the Sandanista Government in Nicaragua."

"This morning, Attorney General Meese advised me of his decision that his investigation had turned up reasonable grounds to believe that further investigation by an independent counsel would be appropriate.